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1 statement.

2 Q Please continue.

3 A I want to thank you, Judge Mollen, and the
4 members of the City of New York Commission to
5 Investigation Alleged Police Corruption for this
6 opportunity to testify today. I would ask that, in
7 addition to testifying, I have the opportunity before you
8 issue your final report to comment in writing and in
9 detail on a number of statements and assertions that were
10 presented in the course of the hearings.

11 Nothing is more important to the successful
12 policing of the nation's largest city than the integrity
13 and credibility of the members of its Police Department.
14 The corrupt act of even one police officer inflicts
15 incalculable damage on the rest. It undermines pride in
16 the professional, and it erodes public confidence in the
17 men and women from whom the people of New York have every
18 right to expect complete honesty and incorruptibility.

19 This is especially true as the Police
20 Department embraces community policing and enlists the
21 support of people who live and work in the neighborhoods
22 of this City. We can hardly ask the people to join the
23 police in a partnership to combat crime if they have
24 reason to believe that police officers themselves are
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2 engaged in it. We can hardly expect the overwhelming
3 majority of honest police officers to take pride in their
4 job -- in one of the toughest law enforcement
5 environments anywhere in the world -- if the corrupt
6 police officer easily escapes detection and punishment.

7 The people of New York City must know they can
8 count on the members of their Police Department to be as
9 honest as they are brave and able. They must know they
10 can count on the Police Department to track down and
11 drive from our ranks those who violate their oath and
12 break the law.

13 It is fundamental to the honest operation of
14 government that the police be honest. The most renowned
15 of New York City's Police Commissioners understood this
16 better than most. Police officers, Theodore Roosevelt
17 said, "do not merely preserve order . . . but to a large
18 portion of our population they stand as the embodiment as
19 well as the representative of the law of the land."
20 Roosevelt said, "No police force is worth anything if its
21 members are not intelligent and honest." And that
22 observation is as true today as when Roosevelt made it
23 nearly a century ago.

24 In a police department soon to exceed 31,000
25 uniformed members -- some two and a half times bigger

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2 than Chicago's and more than four times larger than Los
3 angeles' -- the corrupt police officer is all but
4 inevitable. However, tolerance for the corrupt police
5 officer is neither inevitable nor acceptable. That is
6 why you, Judge Mollen, and your fellow Commissioners
7 perform a high public service in examining the extent of
8 corruption in the Police Department and the extent of the
9 Department's failure to combat it.

10 Over the last several months, the Police
11 Department has supplied the investigative staff of the
12 Commission with thousands of files in preparation for
13 these hearings. I would like to note for the record that
14 your investigators were at all times thorough and
15 professional, and the Police Department takes pride in
16 the fact that many of them are former members of the
17 Department.

18 As familiar as I had become last year with the
19 particulars of the Michael Dowd case, I was revolted
20 nonetheless by the testimony of Dowd and the other
21 corrupt ex-police officers who testified before you.
22 None of them took personal responsibility for their
23 depravity. If Dowd abused alcohol on the job, it was
24 because his supervisor encouraged him. When he steals
25 the savings of a hard-working woman, it is to win the

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2 acceptance of his new partner. Cawley beats people, not
3 because he's a thug, but because his sergeant rewards
4 him. The self-serving chorus was always the same: The
5 Police Department made me do it.

6 Most galling of all was their insistence that
7 they kept quiet about criminal activity they witnessed
8 out of some unshakable bond with their brother officers,
9 rather than the self-serving actions of corrupt hoodlums.
10 Cawley claimed he would never betray another cop, yet he
11 gladly sold guns to people who could use them to shoot
12 police officers. Beyond their self-confessed acts of
13 thievery, extortion, and brutality, the witnesses were
14 offensive in another respect: They tried to paint
15 themselves as typical police officers gone astray.

16 The truth is something else. Most police
17 officers consider Dowd and Cawley and their ilk to be
18 despicable. They are, in the vernacular of the street,
19 "low lifes" who deserve to be in prison. Most police
20 officers I know would have locked them up themselves, and
21 most police officers I know were outraged by their
22 posturing. They never should have been police officers
23 in the first place, a subject to which I'll return later
24 in my testimony.

25 As shocking as they were, these witnesses

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2 served a purpose in raising legitimate questions as to
3 how they could function unimpeded for as long as they
4 did. They raised questions that bear serious examination
5 as to how well out supervisors are trained and deployed
6 and whether they are tempted to close their eyes to
7 suspected wrongdoing by officers under their command.

8 These were among the same questions first
9 raised in a series of articles written by columnist Mike
10 McAlary in June 1992. As a result of those stories, I
11 undertook a review of how the Michael Dowd case was
12 mishandled. I think it is important to know that we
13 responded when these problems surfaced. We identified
14 them publicly and began the job of correcting them. That
15 process continues today.

16 On November 16, 1992, I reported a number of
17 failures, including:

18 (1) The dual system of corruption
19 investigation blurred responsibility and diminished
20 accountability.

21 (2) IAD'S ability to determine its own
22 workload was an obstacle to the efficient and effective
23 conduct of investigations.

24 (3) The FIAU's were hampered by a lack of
25 resources and by IAD's dismissive posture toward them.

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(4) There was a failure to use time-honored investigative techniques to achieve results.

(5) IAD lacked a credible case management system.

(6) Access to important case information was too limited.

(7) The level of staffing for internal investigations was inadequate.

(8) Internal investigative units had difficulty recruiting and retaining qualified investigators.

(9) FIAU investigators conducted most corruption investigations but were inadequately trained and were provided inadequate equipment.

The central question to emerge from the Dowd case was how could a corrupt police officer identified by the system as a problem operate with such impunity for so long without being caught by the Department. Dowd was not protected as part of some conspiracy or coverup, but Dowd was not stopped sooner because the anti-corruption system in place was bifurcated and large ineffective when it came to major investigations.

Before a clear, unified chain of command was put in place, corruption investigations were the

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responsibility of both IAD and the Field Internal Affairs Units. The creation of the Field Internal Affairs Units in 1972 was well intentioned. It was intended to fix responsibility for corruption prevention at the command level. That's why the FIAU officers were answerable to separate field commanders, while IAD had oversight responsibilities. The effect was to obscure responsibility rather than reinforce it.

In my view, the best way to assure accountability is to make responsibility as clear cut and unambiguous as possible. In theory the former IAD would monitor FIAU investigators and run parallel investigations to check on the quality and integrity of their activities, but, in fact, very little of either occurred.

We found that the Field Internal Affairs Units suffered not only from a lack of IAD oversight support, but from a lack of equipment and personnel. They had case loads much larger than IAD's. IAD itself investigated only 5 percent of all corruption cases. We found that the FIAU's received little if any guidance as to which cases to close and which ones to devote more time.

We also found that there was an over-reliance

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2 choice among all candidates seeking assignments as
3 supervisors to any investigative arm of the Police
4 Department. In other words, the career path for
5 investigative supervisors in the New York City Police
6 Department is now through the Internal Affairs Bureau.
7 IAB gets whomever it deems the best, and we are providing
8 these outstanding supervisors with training that we found
9 lacking in the past.

10 We sought out a management consulting firm with
11 a worldwide reputation for excellence, McKinsey &
12 Company, and asked them to undertake a thorough
13 management review of the Department's corruption-fighting
14 systems. As a result of the firm's recommendations, we
15 installed new case management and quality control
16 systems. We are obtaining a new state-of-the-art
17 computerized information system to greatly improve the
18 quality of our investigations.

19 We established nine working groups comprised of
20 Police Department executives and experts from outside of
21 the Department to address specific areas of concern.
22 They included Process and Organization, Information
23 Systems, Investigative Techniques, Personnel Selection
24 and Career Path, Training, Equipment, Physical Plant,
25 Legal, and Transition.

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We initiated weekly steering committee meetings within IAB for the purpose of continual case review, providing for problem solving and reinforcing accountability. We introduced a comprehensive training program for IAB personnel. Working with the Department of Investigations and the Police Department's Detective and Organized Crime Control bureaus, we developed a model package of equipment for investigative and surveillance teams and spent \$2.7 million acquiring it for them. We also introduced a new vehicular fleet for IAB, making unobtrusive leased cars and special surveillance vehicles available to investigators.

We are working to reduce backlogs, to close cases without investigative merit, and to build evidence to prosecute all serious cases. While we are determined to move cases efficiently and expeditiously, we are also prepared to devote time and resources to long, complicated cases that merit such attention.

McKinsey & Company cited the "large reactive management" of corruption cases in the past, so we are taking an aggressive posture, putting into play sophisticated sting operations to bring corrupt police officers and others into our net.

We are using integrity tests, both targeted

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tests against officers suspected of corruption, as well as random tests that could reach anyone. If there was ever a reluctance to turn corrupt officers against each other, I do not share it. We will turn them -- we may even give them a chance to redeem themselves -- in order to bring down the others.

We are debriefing drug dealers and confidential informants to determine whether they are aware of any police corruption. We will use criminal informants, and we will seek the district attorney's help in doing so. We will make the case for wire taps and use them.

We have examined the times of corruption-prone activities and provided additional IAB coverage from midnight to 8 a.m. Also, for the first time, IAB investigators are dispatched as a matter of course to incidents in which a person is shot by a police officer. We have established a special litigation unit to pursue allegations of wrongdoing when they first surface in notice of claims against the City. We are examining any correlation between corruption complaints and complaints of excessive force that are made with the Civilian Complaint Review Board.

After listening to the testimony of witnesses and Commission staff members, the Police Department is

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making every effort to treat people who make corruption complaints -- whether members of the Department or members of the public -- with courtesy and encouragement. Toward that end, we are making the Language Line translation service available to the IAB Action Desk. In this way, complainants who do not speak or understand English may have immediate access by telephone to translators on the same line with IAB officers.

To encourage members of the Police Department, as well as the general public, to report corruption, we have established a new, easy-to-remember, toll-free number. It is 1-800-PRIDE PD. We are also encouraging complainants -- police and civilian -- to write either to a special IAB postal box -- Box 111 in Brooklyn 11201 -- or personally to me at Police Headquarters. I want every member of the Police Department to know that if they have any reservations about reporting corruption to a particular supervisor or commander, they always have the option of going directly to the Police Commissioner.

In testifying about the improvements we have made to our internal investigative systems, I don't want you to conclude that the issue of corruption-fighting ends there. Of course, it does not. It goes far beyond a reformation of Internal Affairs and even beyond the

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Commission.

Beginning with recruitment and training, we have to recognize that our commitment to integrity starts with those we select as probationary police officers and continue with the message we give them through training, both in the Police Academy and in the field.

We have established a committee on police culture to review the selection process for police officers, their training, and other issues, all with an eye toward enhancing an environment, or culture, that is intolerant of corruption and supportive of efforts to combat it. I have asked the committee to review the questions of maturity and education in determining whether they may be factors in screening out corruption-prone candidates.

Considering the enormous responsibility and authority conferred upon police officers, we have to ask ourselves whether the minimum age to become a New York City police officer should be raised. Right now a candidate for the Police Department may take the police officer examination at age sixteen and a half and be appointed at age twenty. Is that too young? Are the educational standards adequate in this day and age? It

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2 may be time for the New York City Police Department to
3 raise the minimum education requirement for police
4 officer to an associate college degree.

5 We need to do all we can to make certain that
6 police officer feel confident to come forward to report
7 corruption. I am confident about any ethic that would
8 resist such reporting.

9 We need to pay special attention to our first
10 line supervisors and their responsibility for integrity
11 control. The transition from police officer to sergeant
12 is difficult and far too quick. There is little
13 opportunity for a new sergeant to assume command with the
14 confidence that further training would afford.

15 Therefore, we are exploring the possibility of
16 establishing a sergeant's academy. It would provide a
17 hiatus between the role of police officer and supervisor
18 and a base for increased training and support. It will
19 also provide an extended opportunity to instill in all
20 sergeants the fact that leadership carries with it the
21 responsibility to impose discipline fairly but
22 unwaveringly.

23 Simultaneously, I am ordering a review of our
24 supervisory staffing models. You have heard testimony
25 about the reported ease with which corrupt-minded police

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officers could elude their supervisors in busy precincts. We need to look at that and determine whether the Department should make staffing decisions beyond the standard measure of police officers to sergeant ratios. Right now we have 297 vacancies for sergeants, and we are awaiting an examination to fill them, but even then we have to ask ourselves whether the traditional ratio is enough.

Throughout the chain of command, from sergeants on up, we need to exploit every opportunity to make it clear that supervisors and commanders who expose corruption in their own commands will be rewarded, and those who attempt to conceal it will be disciplined. Corruption-fighting is like other issues in management -- you can be part of the problem or part of the solution. The commitment must be made at the top, and I can affirm to everyone in the Police Department that no one's career will be diminished if he or she is part of the solution. It can only be enhanced.

The Police Commissioner must be the number one corruption fighter. For that reason, I and my executive staff will be personally involved in the integrity training of the current class in the Police Academy. Two thousand six hundred probationary police officers are in

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1 training there -- the largest class in history -- and we
2 want to make the greatest impression possible, reminding
3 them that nothing is more important than their honor and
4 integrity.
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6 The Police Department is a great and a strong
7 institution. We can take the so-called bad press. It
8 comes with the territory. What we can't afford is anyone
9 who thinks they are doing the Department a favor by
10 sweeping problems under the rug. Problems grow there and
11 come back with a vengeance, as these hearings have
12 demonstrated.

13 While I categorically reject the proposition of
14 some of the first Commission witnesses that police
15 officers are somehow trained to practice or accept
16 corruption, I believe the Police Department bears the
17 responsibility of reinforcing integrity at every turn.
18 We are doing so with revamped Police Academy curricula,
19 as well as in-service training. It is a message that
20 needs to be reinforced throughout a police career, if
21 only because the opportunities for corruption are
22 constant and inherent in law enforcement.

23 To help in that regard, we have convened groups
24 of police officers from various commands and various
25 tours to discuss issues centering on integrity and

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2 corruption. The focus groups include union
3 representatives because of the important supportive role
4 they can play in combatting corruption. We are also
5 reaching out to the community in new ways. For example,
6 we have established a pilot program that immerses police
7 officers in the dominant cultures of a given police
8 precinct. Language training is part of the program.

9 We have heard throughout the Commission
10 hearings references to the Wall or Code of Silence.
11 There is truth to it. There is a solidarity that grows
12 out of the best of intentions and motivations, including
13 the loyalty and sense of mission that binds people
14 engaged in demanding and sometimes dangerous work. But
15 there's a difference between a police officer who says
16 "watch my back" and Michael Dowd's admonition to conceal
17 corrupt activity.

18 In fact, the corrupt police officers who
19 appeared were so self-damning and so good at being anti-
20 role models that their testimony was videotaped by our
21 Police Academy personnel who have been here filming since
22 the beginning of the hearings. The witnesses' testimony,
23 along with other portions of the Commission proceedings,
24 will be used in training sessions for new recruits, as
25 well as veteran police officers and supervisors.

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2 If the Mollen Commission had the distasteful
3 but necessary duty to produce scoundrels as witnesses,
4 you also produced heroes. I concur with you, Judge
5 Mollen, that Sergeant Joseph Trimboli fits that category.
6 I have decided to promote Sergeant Trimboli at
7 Departmental ceremonies at the end of this month. And,
8 no, the timing is not coincidental.

9 In addition to recognizing his obvious talent
10 and dedication as the lone investigator of the Dowd case,
11 we are recognizing his cooperation with and testimony
12 before the Mollen Commission as an act of sterling,
13 lasting service to police officers everywhere. And, yes,
14 we are sending a message to all other police officers
15 that Sergeant Trimboli is our definition of a "good cop."

16 I have no illusions about the problem
17 corruption poses. Our efforts to combat corruption will
18 produce more painful examples of people who violate their
19 oath and betray the public trust. So be it. Nothing
20 will be swept under the rug.

21 Like other institutions, the Police Department,
22 and law enforcement generally, are vulnerable to
23 corruption in a city awash with cash from the illicit
24 drug trade. The morale and good order of the entire
25 Police Department is at stake, and so is the public's

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confidence in its police. The police must have the confidence of the public to operate effectively.

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As painful as I know this process has been to the police officers and other members of the Department, I want them and the public to know that it will make for a stronger, revitalized organization. Certainly, that was the case when former Police Commissioner Patrick Murphy took the opportunities created by the Knapp Commission to build a stronger Department. But no organization, no integrity controls, no matter how well conceived, no matter how able the Commissioner who implements them, will last forever. Teddy Roosevelt and Pat Murphy could attest to that.

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As you have heard in previous testimony, it was a matter of faith that the reforms of the Knapp Commission would work forever. No one really monitored to see if that was so. No one looked to see how well the system performed in light of the crack epidemic of the 80's. As we found in my report on the Dowd case, it turned out to be blind faith.

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We need to safeguard against complacency and against whatever vagaries, be they crack cocaine or some future unknown condition, conspire against the best of intentions. For that reason, I would favor a formal

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2 monitoring process, independent of IAB, but one that
3 preserves the authority and the accountability of the
4 Police Commissioner to conduct investigations and impose
5 discipline, and one that keeps the Police Commissioner
6 fully informed and involved. To do otherwise is to
7 undermine accountability and to invite a cure worse than
8 the disease.

9 In closing, I want to say how important it is
10 that the police officers of this City know we believe in
11 them. I do. The proudest day of my life came thirty
12 years ago when I took the oath as a New York City police
13 officer. Every day since then, my faith is restored by
14 the men and women I work with and whom I now have the
15 privilege to lead.

16 Judge Mollen said it best when he reported the
17 Commission finding that, "Each day throughout the year
18 the vast majority of police officers throughout the City
19 perform one of society's most important, sensitive, and
20 dangerous jobs with efficiency and integrity."

21 As difficult as I know these last two weeks
22 have been for the members of the Police Department and
23 the public, I am confident that the Commission's faith in
24 this City's police officers is well deserved and widely
25 embraced. As we look ahead, I am also drawn once more to

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2 the words of Theodore Roosevelt when he said, "There is
3 no good reason why we should fear the future, but there
4 is every reason why we should face it seriously, neither
5 hiding from ourselves the gravity of the problems before
6 us, nor fearing to approach these problems with the
7 unbending, unflinching purpose to solve them aright."

8 Thank you, Judge.

9 MR. CHAIRMAN: On behalf of the Commission, I
10 want to thank you very much for your very broad, your
11 very detailed and excellent statement. I also want to
12 take this opportunity, and I think I can speak on behalf
13 of all the members of the Commission, to congratulate you
14 and to highly commend you for the steps that you have
15 already taken to deal with this very serious, troublesome
16 problem of corruption.

17 I also would hope that your statement and steps
18 that you've taken to deal with the problem will help to
19 restore public confidence and faith in the integrity of
20 the Department from the Commissioner down. It is so
21 important that the public have faith in the integrity and
22 take recognition of the fact that you have alluded to and
23 which I've alluded, as you pointed out, that the
24 overwhelming majority of police officers are honest,
25 incorruptible, and are doing a very difficult and